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Senate: MAPS DP 7-0-0-0 | 3rd Read DPA 29-0-1-0-0

House: JUD DPA 8-0-0-0-0-0

SB 1294: sex offender registration; online identifiers

Sponsor: Senator Kaiser, LD 2

House Engrossed

Overview

Effective July 1, 2024, requires the Department of Public Safety (DPS) or authorized third-party to make a registered sex offender's required online identifier and the name of any corresponding website or internet communication service available to an authorized organization on the internet sex offender website (Website), rather than permitting DPS to disseminate this information to a business or organization as provided in current statute.

History

Current law requires DPS to establish and maintain the Website for purposes of providing sex offender information to the public. The Website must include any offender whose risk assessment has been determined to be a level two or level three, or any offender convicted of or adjudicated guilty except insane for various specified sexual offenses (or the same or a substantially similar offense in another state or jurisdiction). The Website must contain the following information for each sex offender required to register on the Website, which DPS must update annually:

- 1) The offender's name, address and age;
- 2) A current photograph; and
- 3) The offenses committed and notification level pursuant to [A.R.S. § 13-3825](#) if a risk assessment has been completed.

DPS is also required to maintain a separate database and search function on the Website that contains any required online identifier of sex offenders whose risk assessments have been determined to be level two or level three and the name of any website or internet communication service where the required online identifier is being used. This information cannot be publicly connected to the name, address and photographs of a registered sex offender on the website.

Statute currently permits DPS to disseminate a registered sex offender's required online identifier and the name of any corresponding website or internet communication service to a business or organization that offers electronic communication services for comparison with information that is held by the requesting business or organization. If the requesting business's or organization's comparison of this information indicates that a registered sex offender's online identifier is being used on the business's or organization's system, the business or organization is required to notify DPS but is otherwise prohibited from disseminating that the person is a registered sex offender ([A.R.S. § 13-3827](#)).

Provisions

1. Requires DPS or a third-party responsible for maintaining the Website to make available on the Website a registered sex offender's required online identifier and the name of any corresponding website or internet communication service to an authorized organization for comparison with information that is held by the authorized organization, replacing existing

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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language permitting DPS to disseminate this information to a business or organization that offers electronic communication services. (Sec. 1)

2. Defines an *authorized organization* as an internet communication service or related safety organization that is approved by DPS or a third-party responsible for maintaining the Website to access required online identifiers. (Sec. 1)
3. Makes conforming changes. (Sec. 1)
4. Contains a delayed effective date of July 1, 2024. (Sec. 2)